

**RESOLUTION # 116-3.15**

**RESOLUTION AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN  
THE TOWNSHIP OF NORTH BRUNSWICK, REGAL CINEMAS INC.,  
COMMERCE CENTER NB, LLC AND NORTH BRUNSWICK TOD  
ASSOCIATES, LLC.**

**WHEREAS**, as a result of the roadway improvements to Route 1 through the Township of North Brunswick differences and disputes arose as to the effects, liabilities and responsibilities for the roadway improvements undertaken; and

**WHEREAS**, Regal Cinemas Inc. ("Regal or Regal Cinemas") filed litigation in the United States District Court for the District of New Jersey under Docket No. Civil Action 14-2117 seeking compensation for alleged damages to their leasehold interest in the Commerce Center Shopping Center owned by Commerce Center NB, LLC; and

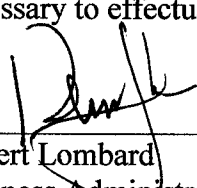
**WHEREAS**, Regal Cinemas alleged that their leasehold and parking facilities were adversely effected by the Route 1 highway improvements and the reverse jughandle at Commerce Center Boulevard; and

**WHEREAS**, the Township of North Brunswick affirmed and defended its position in the litigation that it had no liability for any claims by Regal Cinemas and that this was essentially a landlord tenant dispute between Regal Cinemas Inc and Commerce Center NB, LLC.; and

**WHEREAS**, with the assistance of the US Magistrate Judge the effected parties entered into negotiations and have amicably resolved their differences as contained in the settlement agreement attached hereto and made a part hereof.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey that the settlement agreement between Regal Cinemas Inc., Commerce Center, NB, LLC, North Brunswick TOD Associates, LLC and the Township of North Brunswick in substantially similar form to the settlement agreement attached hereto and made a part hereof be and is hereby authorized and approved; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk are hereby authorized to execute said settlement agreement and to execute any and all further documents necessary to effectuate the settlement of this matter.

  
\_\_\_\_\_  
Robert Lombard  
Business Administrator

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Ronald H. Gordon, Esq.  
Township Attorney  
Certified as to Form